

Rev 9/04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Willem Ferdinand Nieuwenhuizen
 Application No. :
 Filed : Herewith
 Confirmation No. :
 For : SPHINGOLIPIDS FOR IMPROVEMENT OF THE COMPOSITION
 OF THE INTESTINAL FLORA
 Examiner :
 Attorney's Docket : VER-194XX

TC Art Unit:

 I hereby certify that this correspondence is being deposited with the
 United States Postal Service as first class mail in an envelope
 addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box
 1450, Alexandria, VA 22313-1450 on _____.

By: _____

Registration No.

Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the
 enclosed references listed on the attached copy of PTO Form #1449. The
 paragraph(s) marked below are applicable to this Information Disclosure
 Statement.

[X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
 Information Disclosure Statement is being filed within three
 months of the filing date of the above identified national
 application or within three months of the date of entry of the
 national stage as set forth in 37 C.F.R. § 1.491 of the above
 identified application. Accordingly, applicant(s) believes that
 no fee or statement under 37 C.F.R. § 1.97(e) is required.

[] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the
 attached Information Disclosure Statement is being filed before
 the mailing date of a first Office action on the merits.

-1-

Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

- [] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
 - [] a statement under 37 CFR § 1.97(e); or
 - [] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- [] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on, or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

- [] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

- [] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

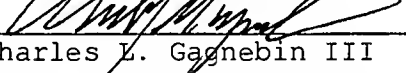
If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

These references were cited in the International Search Report (copy enclosed) which issued in PCT/NL2004/000046 filed January 20, 2004.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

WILLEM FERDINAND NIEUWENHUIZEN

By: 
Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP
Ten Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

CLG:mes/324054-1
Enclosure

Date: July 20, 2005

- 3 -

Date: July 20, 2005

Page 1 of 1

(REV. 05/03) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO. VER-194XX	APPLICATION NO. 10/542838
	APPLICANT: Willem Ferdinand Nieuwenhuizen	
	FILING DATE Herewith	TCART UNIT

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
	US					
	US					

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
FR 2 820 037 A	8/2/2002	France			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

	Vesper, H. et al.: "Sphingolipids in Food and the Emerging Importance of Sphingolipids to Nutrition" JOURNAL OF NUTRITION, vol. 129, 1999, pages 1239-1250.
	Fantini, J. et al.: "Synthetic Soluble Analogs of Galactosylceramide (GalCer) Bind to the V3 Domain of HIV-1 gp120 and Inhibit HIV-1-induced Fusion and Entry" JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 272, no. 11, 1997, pages 7245-7252.
	Rueda, R. et al.: "Addition of gangliosides to an adapted milk formula modifies levels of fecal Escherichia coli in preterm newborn infants" J. PEDIATR., vol. 133, 1998, pages 90-94.
	Merrill Jr., A. H. et al.: "Role of dietary sphingolipids and inhibitors of sphingolipid metabolism in cancer and other diseases" JOURNAL OF NUTRITION 1995 UNITED STATES, vol. 125, no. 6 SUPPL., 1995, pages 1677S-1682S.
	Bibel, D. J. et al.: "ANTIMICROBIAL ACTIVITY OF SPHINGOSINES" JOURNAL OF INVESTIGATIVE DERMATOLOGY, vol. 98, no. 3, 1992, pages 269-273.
	Chung, N. et al.: "Phytosphingosine as a specific inhibitor of growth and nutrient import in Saccharomyces cerevisiae." THE JOURNAL OF BIOLOGICAL CHEMISTRY. UNITED STATES 21 SEP 2001, vol. 276, no. 38, 21 September 2001 (2001-09-21), pages 35614-35621.

EXAMINER /Paul Dickinson/	DATE CONSIDERED 07/10/2010
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

REFERENCES FURNISHED BY INTERNATIONAL BUREAU

CLG/mc/324085-1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /P.D./